

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DeAndre Crawford,)
)
 Plaintiff,)
)
 vs.) Case No. 1:18-cv-4482
)
 Charles Best, et al.,)
)
 Defendants.)

The Remote Videoconferenced Discovery
Deposition of MAURICE LAKE, taken in the above-entitled
cause before Deborah T. Brauer, a notary public within
and for the County of Lake and State of Illinois, and a
Certified Shorthand Reporter of said State, taken on
the 14th day of October, 2021 at the hour of 9:20
o'clock a.m., pursuant to notice.

A P P E A R A N C E S :

MAYER BROWN LLP

71 South Wacker Drive

Chicago, Illinois 60606

BY: MR. SAMUEL P. MYLER (Via Videoconference)

MR. MARK McLAUGHLIN (Via Phone)

smyler@mayerbrown.com

markmclaughlin@mayerbrown.com

appeared on behalf of the Plaintiff,

OFFICE OF THE ILLINOIS ATTORNEY GENERAL

100 West Randolph Street, 13th Floor

Chicago, Illinois 60601

BY: MR. JONATHAN KANGWA (Via Videoconference)

jonathan.kangwa@ilag.gov

appeared on behalf of Defendants, Marc

Anastacio, Jeannette Bennett, Ralph

Burkybile, Brett Carnahan, Tanesha Carroll,

Jermiagh Daly, Brian Givens, Brian Heplin,

Randy Pfister, Terrance Ragusa, and

Christopher Whitfield;

CASSIDAY SCHADE LLP

222 West Adams Street, Suite 2900

Chicago, Illinois 60606

BY: MR. JOSEPH LOMBARDO (Via Videoconference)

jlobbarbo@cassiday.com

appeared on behalf of Defendants,

Dr. Evaristo Aguinaldo, Lidia Diaz, Estate

of Dr. Obaisi.

THE COURT REPORTER: Good morning. My name is

Deborah Brauer. At this time, I will ask counsel to identify yourselves and agree on the record that there is no objection to this deposition officer administering a binding oath to the witness via Zoom. Please state your agreement on the record.

MR. MYLER: Sam Myler, I represent the plaintiff DeAndre Crawford. We have no objection to administering an oath remotely.

MR. KANGWA: Jonathan Kangwa on behalf of the IDOC defendants. I agree.

MR. LOMBARDO: Joe Lombardo on behalf of defendants Dr. Aguinaldo, Nurse Lidia Diaz, and the Estate of Dr. Obaisi. And we agree.

(Witness sworn remotely.)

MAURICE LAKE,
called as a witness herein, having been first duly sworn, was examined and testified as follows:

E X A M I N A T I O N

BY MR. MYLER:

Q. Good morning, Major Lake. Is it Major Lake?

A. Yes.

Q. Good morning. I'm Sam Myler. I have been appointed by the court or recruited by the court to

I N D E X

DEPOSITION OF MAURICE LAKE
OCTOBER 14, 2021

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represent the plaintiff in this lawsuit, DeAndre Crawford, in connection with his claims against a number of the individuals employed by IDOC and certainly individuals employed by Wexford. Do you understand that you're here today to provide testimony as a witness on behalf of the Illinois Department of Corrections, correct?

A. Yes.

Q. And just before we go any further, can you hear me okay? Is it coming in okay?

A. Yeah. Hold on. Let me try to turn it up a little bit.

(Off the record.)

BY MR. MYLER:

Q. I think we left off, I was explaining that you have been designated to provide testimony on behalf of the IDOC defendants, is that correct?

A. Yes.

Q. Okay. When were you asked or informed that you would be providing testimony in this capacity today?

A. About a week ago, two weeks ago. Approximately a week to two weeks ago.

Q. Okay. And who was it that informed you that

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1 you would be providing this testimony?

2 A. The Illinois Department of the Corrections,
3 Stateville Legal Department, Lora Haven.

4 Q. Okay. What was that individual's name?

5 A. Haven. Lora Haven.

6 Q. Lora Haven. Okay. And what did Ms. Haven
7 explain to you in terms of the scope of your testimony
8 or the topics that you'd be expected to testified to
9 here today?

10 A. About a couple -- two categories. Something
11 having to do with -- I don't recall but --

12 MR. KANGWA: It's going to be 7 and 9 on the
13 30(b) (6) notice.

14 BY MR. MYLER:

15 Q. Okay. 7 and 9. Major Lake, have you ever
16 been deposed before?

17 A. Yes.

18 Q. And how many times?

19 A. Two, three times before.

20 Q. And can you explain the circumstances
21 surrounding those depositions, why you were deposed and
22 what you testified to?

23 A. Inmate issues, policies and procedures of the
24 Illinois Department of Corrections Stateville.

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1 Q. Okay. Before I go any further, I'll just
2 kind of give you a very brief summary of what we'll be
3 going through here today. As I mentioned, you have
4 been designated as a 30 (b)(6) witness or a
5 representative witness for IDOC so you're providing
6 testimony on behalf of the Illinois Department of
7 Corrections. You have been sworn in, you're under
8 oath, and therefore you have an obligation to answer
9 all my questions truthfully and accurately to the best
10 of your ability. Is that all understood?

11 A. Yes.

12 Q. I don't anticipate us needing more than a
13 half a day at the most, probably less than a couple
14 hours if you have just been designated to testify to
15 topics 7 and 9, but if during that time you need a
16 break or anything, let me know, we can take a break.
17 I'll likely take at least one break myself just to kind
18 of be sure I'm organized on everything I need to cover.
19 If you need a break, need to step out, that's fine.
20 Just let us know and we'll find a time to do that. Is
21 that understood?

22 A. Yes.

23 Q. Okay. We haven't had any problems thus far,
24 but it's important to remember that we shouldn't talk

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1 over each other because the court reporter will be
2 preparing a transcript of our conversation today, and
3 if we're talking over each other, it's difficult for
4 her to record everything. Is that understood?

5 A. Yes.

6 Q. The same goes for responding to questions or
7 asking questions. I'll try to avoid any nonverbal type
8 of cues, like pointing at documents or pointing at
9 materials. If you could similarly try to avoid head
10 nods or shaking your head to answer questions, that
11 would be helpful because she has a difficult time
12 recording those types of actions or ways to
13 communicate.

14 Okay. Sir you said you have been designated
15 to testify to topics 7 and 9. I'm going to show a
16 document on my screen, hopefully you'll be able to see
17 it on your screen. If you could give me one minute.

18 Can you see a document that I'm trying to
19 display on the screen here?

20 A. Okay. Yeah, I see. I can't read it.

21 Q. Is it too small?

22 A. Yes.

23 Q. Okay. Let's see if I can zoom in a bit here.
24 Does that make it any better?

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1 A. Yes, a little bit. I can't see it too clear,
2 I want to let you know that now.

3 Q. Okay. So we'll try, and if we are having a
4 lot of trouble we'll see if we can get someone to help
5 you out on your end here.

6 Do you recognize this document that I have
7 put up on the screen here?

8 A. Okay. Yes.

9 Q. Okay.

10 A. Yes.

11 Q. And can explain your understanding of what
12 this document is?

13 A. It states, for the United States District
14 Court for the subpoena to testify, deposition in a
15 Civil Action.

16 Q. Okay. And we'll mark this as Lake Exhibit 1.
17 I'm going to scroll down here. And let me ask you,
18 have you -- were you shown this document prior to the
19 deposition today either by Ms. Haven or anyone else?

20 A. Yes.

21 Q. Okay. And I'm going to scroll down to the
22 end. There is a list of topics at Exhibit A in which
23 Mr. Crawford asked that IDOC produce someone to testify
24 to a number of different matters. And my understanding

3 (Pages 6 to 9)

1 is that you have testified that you'll only be
2 testifying to topics No. 7 and 9, is that correct?

3 A. Yes.

4 Q. And 7, I'll just read it into the record, is,
5 "The process by which inmates can request replacement
6 mattresses, bedding, blankets, or other essentials
7 related to the conditions of their confinement."

8 And then 9 is, "The processes or protocols
9 correctional officers are expected to follow if they
10 are informed by an inmate of issues related to the
11 inmate's conditions of confinement, including issues
12 related to plumbing or the lack of appropriate
13 bedding."

14 Did I read that correctly?

15 A. Yes.

16 Q. Okay. We're going to talk about the topics a
17 bit more the depth, but I just want to know whether you
18 did anything in order to prepare for your deposition
19 today in preparing yourself to testify to these topics?

20 MR. KANGWA: Major Lake, and we can put this on
21 the record, any of our conversations can be privileged,
22 so you don't have to give any information regarding the
23 contents of those conversations. You can mention
24 whether and if we spoke.

1 THE WITNESS: Okay.

2 BY MR. MYLER:

3 Q. So I'll ask again, did you do anything to
4 prepare to testify today regarding topics 7 and 9?

5 A. No.

6 Q. Okay. You didn't review any documents prior
7 to this deposition?

8 A. Just -- is there anything else out of that,
9 no.

10 Q. You didn't conduct any interviews or meet
11 with anyone at IDOC to discuss either of these topics?

12 A. No.

13 Q. Okay. Can you explain, the best you can, why
14 you were asked to provide testimony with respect to
15 topics 7 and 9?

16 MR. KANGWA: I object to foundation, calls for
17 speculation.

18 You can answer.

19 THE WITNESS: I don't understand. Well, I don't
20 know really want you want but --

21 BY MR. MYLER:

22 Q. Let me come at this a different way. My
23 understanding is that you're currently employed by
24 IDOC, is that correct?

1 A. That's correct.

2 Q. And what is your current position?

3 A. Major.

4 Q. Major. And what do your responsibilities as
5 Major entail?

6 A. Security, custody, control the daily activity
7 of deploying staff to their assignments, reporting of
8 unusual incidents on a daily -- during a daily basis.

9 Q. Okay. Do you supervise any IDOC employees?

10 A. Yes, I -- yes.

11 Q. How many employees would you say you
12 supervise?

13 A. On the day shift, approximately 150 to 300
14 officers.

15 Q. Okay. And who do you report to on a
16 day-to-day basis?

17 A. Assistant Warden of Operations for Stateville
18 Correctional Center and the Warden of Stateville
19 Correctional Center.

20 Q. The Assistant Warden, does he report -- he or
21 she report directly to the Warden?

22 A. Yes.

23 Q. Okay. Are there IDOC employees that are
24 between you and the 150 employees you supervise? In

1 other words, I'm trying to just get a sense of where
2 you are on kind of the hierarchy of a correctional
3 officer on the gallery, how they compare to you and
4 whether you are their direct supervisor or if there are
5 other individuals below you that supervise those
6 individual officers?

7 A. Okay. So there is officers, sergeants,
8 lieutenants, and then there is what I am, the major. I
9 report to the Assistant Warden of Operations and the
10 Warden of Stateville Correctional Center.

11 Q. Okay. So between you and the individual
12 correctional officer, there are lieutenants and
13 sergeants, correct?

14 A. Officers, sergeants, and lieutenants.

15 Q. Okay. And how do your day-to-day
16 responsibilities differ from those of sergeants and
17 lieutenants?

18 A. I --

19 Q. How do your individual responsibilities
20 differ from those of sergeants and lieutenants?

21 A. I'm more administrative. If unusual
22 incidents happen during the shift, during my eight hour
23 shift from the officers, the sergeants or lieutenants,
24 they'll report all unusual incidents to the majors.

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1 Q. Understood. So is it safe to say that you
2 aren't responsible on a day-to-day basis for doing
3 rounds either in the cell house or in galleries, is
4 that correct?

5 A. So I walk around mainly through the cell
6 houses or through other assignments within the
7 institution, yes.

8 Q. And you're here to testify regarding topics 7
9 and 9, which relate to processes and protocols followed
10 if an officer is informed of issues related to an
11 inmate's conditions of confinement. Can you explain
12 how it is that you're familiar with those processes?

13 A. I have been here -- probably 'cause I have
14 been here 30 years.

15 Q. Okay. Are you responsible for developing or
16 creating those processes or protocols?

17 A. No.

18 Q. Okay. And are you responsible for training
19 individuals regarding them?

20 A. No.

21 Q. Are you responsible for ensuring that they're
22 followed?

23 A. Yes.

24 Q. Okay. And how is it that you accomplish that

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1 task?

2 A. Through the higher authority such as
3 lieutenants and sergeants.

4 Q. Okay. So why don't I ask you just an
5 open-ended question. I'll let you explain to me how it
6 works, but could you give me your best summary of the
7 process involved in addressing issues related to an
8 inmate's conditions of confinement?

9 A. Sure. Such as complaints, is that what you
10 mean?

11 Q. Sure. Sure. Let's assume that an inmate has
12 an issue with the plumbing in their cell, the hot water
13 won't turn on, or the water won't turn off or an inmate
14 doesn't have a mattress for some reason. Can you just
15 walk me through step by step the process in place to
16 have that issue addressed?

17 MR. KANGWA: I'll just object that the question is
18 compound.

19 Major, you can answer.

20 THE WITNESS: First of all, the officer -- the
21 gallery officer, who he's patrolling the galleries or
22 in the cell house, an inmate might approach him from
23 outside of the bars and address that he has an issue
24 with his plumbing, the water don't work or the toilet

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1 doesn't flush or he needs new sheets or he had torn
2 sheets or any type of complaints inside the cell, he
3 notifies the gallery officer. Okay. The gallery
4 officer notifies his sergeant. If the sergeant can't
5 do it on his level, which if it's a plumbing problem,
6 anything that has to do with maintenance, no officer
7 will do any kind of maintenance issues, maintenance
8 problems and maintenance correction. The sergeant will
9 put in a work order to the maintenance department, the
10 chief engineer. The chief engineer will send this
11 maintenance craftsman to the cell house, whether it be
12 that day or week or month 'cause it's a big
13 institution, it's whenever the chief engineer sends a
14 craftsman to that particular cell house or locations
15 within the institution. Okay. If I could say, the
16 chief engineer will send him to the cell house, but
17 under no circumstance no officer will fix any kind of
18 maintenance issues.

19 BY MR. MYLER:

20 Q. Okay. So it sounds like, in the case of a
21 plumbing issue, the process starts with simply the
22 inmate informing the gallery officer, which I take to
23 be the officer that kind of he sees everyday that walks
24 by his cell, kind of the first -- the first level of

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1 IDOC employee that the inmate has to deal with on a
2 day-to-day basis, is that correct?

3 A. Yes.

4 Q. Okay. And there is no form, there are no --
5 there are no forms to fill out, there are no special
6 documents or papers the inmate needs to prepare, he
7 simply just says to the gallery officer, hey, this is
8 the problem he's having, is that right?

9 A. Yes.

10 Q. Okay. And is there any other alternative way
11 to have an issue addressed, other than just going to a
12 gallery officer or is that always kind of the first
13 line of -- the first way to try to have it remedied?

14 MR. KANGWA: I object as vague, just -- you're
15 talking about the plumbing specifically?

16 THE WITNESS: The individual in custody can notify
17 the gallery officer. If the individual in custody sees
18 a sergeant he can notify the sergeant. If he sees a
19 cell house lieutenant, he can notify them as well.

20 BY MR. MYLER:

21 Q. Okay.

22 A. But all complaints of plumbing issues has to
23 be documented through a work order to be sent again to
24 the chief engineer's office, and then he will issue the

5 (Pages 14 to 17)

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1 work order to the maintenance craftsman.

2 Q. So that sounds like that's the process for
3 plumbing issues. Now if an individual has an issue
4 related to his bedding, he doesn't have a mattress, his
5 mattress is removed or he doesn't know where it's at,
6 what is the process or how might it be different?

7 A. Like after a shakedown, a mass shakedown in
8 which state tactical officers will take torn mattresses
9 or mattresses that they probably found contraband in it
10 or torn up mattresses or mattresses without covers,
11 they would take those mattresses out and throw them in
12 the dumpster. All mattresses will be replaced that
13 same day.

14 Now, we have two institution parts to the
15 institution. We can get a mattress, not a new
16 mattress, but we can get a mattress. We have
17 mattresses stacked -- I mean, we're a reception center,
18 so we have to have mattresses, provide mattresses to
19 all individuals in custody. If an inmate doesn't have
20 their mattress after the shakedown or during that
21 shift, one of the three shifts, usually the next shift
22 will provide that individual in custody with the
23 mattress. No exceptions.

24 Q. Okay. Has there ever been an incident that

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1 you're aware of in which there were no replacement
2 mattresses available?

3 A. We're a reception center, we have mattresses.
4 We provide 20,000, 30,000 inmates per year going
5 through our reception center and through this
6 institution. We have to provide mattresses to all
7 individuals in custody.

8 Q. Okay. If an inmate asked for a mattress
9 because his mattress had been removed during a
10 shakedown, how long would it take for him to receive a
11 new or not necessarily new but a replacement mattress?

12 MR. KANGWA: Objection, foundation, calls for
13 speculation.

14 Major, you can answer.

15 THE WITNESS: If the individual in custody informs
16 the sergeant -- the gallery officer or the sergeant
17 that the tac team -- tactical team took his mattress or
18 he has -- the mattress was torn and they threw it away,
19 the mattress was disposed of, the sergeant would go
20 through the lieutenant, the lieutenant will call
21 around, call the reception center or call to any other
22 place where mattresses are stored and get that
23 individual in custody a mattress.
24

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1 BY MR. MYLER:

2 Q. And how long does that process take?

3 MR. KANGWA: Same objections.

4 THE WITNESS: It's usually done that shift, that
5 particular shift.

6 BY MR. MYLER:

7 Q. Okay. And are there any documents or records
8 prepared by any of the correctional officers regarding
9 their efforts to get a new mattress? In other words,
10 if an inmate asked for a mattress, are there work
11 orders prepared that would demonstrate and would show
12 that the individual tried to get the inmate a mattress?

13 A. No.

14 Q. Okay. So there is no way to confirm whether
15 a correctional officer actually took the inmate's
16 request and attempted to get the mattress for the
17 inmate?

18 A. Or if the inmate says it verbally. But if
19 the inmate had written a note, he would give it to the
20 officer, the officer would give it to the sergeant.

21 Q. Okay. But there is no way to confirm that
22 the officer actually gave it to the sergeant or that
23 the sergeant actually tried to get the mattress from
24 the reception center, for example, it's more of ad hoc

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1 process, is that correct?

2 A. It's just an inhouse process.

3 Q. Okay. There is no written documentation or
4 logs prepared in the same way that they're prepared
5 when it's a plumbing issue for example?

6 A. No.

7 Q. Okay. This process that you have described,
8 is this a formal process that's written down in some
9 type of directive or some type of training manual or is
10 it just the process -- let me just stop there. Is it a
11 process that's been written down or formalized in any
12 way?

13 A. Well, it's written down in the administrative
14 directives and institutional policies and procedures.
15 The inmate will receive a mattress, sheets, bedding,
16 hygiene items. We will provide those items, such as
17 soap, which is done once a week or -- we don't deal
18 with trash bags no longer because we collect trash on
19 the gallery, but soap, shampoo, tooth paste,
20 toothbrush.

21 Q. Okay. So there is a -- there are directives
22 or protocols that confirm that these inmates are
23 entitled to those items, but there is no directive that
24 lays out the process for requesting replacement items?

6 (Pages 18 to 21)

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1 A. I haven't -- no, I haven't seen any.

2 Q. Okay. Are you aware of any instances in
3 which an individual's mattress was removed during a
4 shakedown and they did not receive a replacement or a
5 different mattress within 24 hours?

6 A. No, I haven't. No one ever reported an
7 incident like that to me, no.

8 Q. Okay. Are you familiar Mr. Crawford's claims
9 in this case?

10 A. No.

11 Q. Okay. Mr. Crawford claims that his mattress
12 was removed during an institutional shakedown and that
13 he did not receive a replacement mattress and therefore
14 was forced to sleep on the steel bed frame for a period
15 of 17 days. And you just made a face as if you were
16 surprised, is that correct? I'm having a hard time
17 seeing.

18 A. Well, I still got this document. I can
19 barely see you. You're in a little box in the corner,
20 but you got this other document up, and I can't --

21 Q. Okay.

22 A. I'm looking at this little corner.

23 Q. Got it.

24 A. This is a little cell phone. We don't have a

1 big computer monitor, so it's like a little cell phone.
2 It's hard to read the documents.

3 Q. I understand. Mr. Crawford claims he was
4 without a mattress for 17 days. My question is whether
5 that surprises you, Major Lake?

6 A. That would -- yes. That surprises me, yes,
7 'cause --

8 Q. Go ahead. I'm sorry.

9 A. 'Cause if -- every individual in custody in a
10 particular cell house after a shakedown will receive a
11 replacement mattress, not necessarily new, but we will
12 provide them with a mattress, a used mattress, that
13 shift, next shift or within a given -- one of the three
14 shifts.

15 Q. Okay. And if such a mattress were not
16 provided, so for a period of a number of days, could
17 you explain how that situation might occur or why a new
18 mattress would not be provided?

19 MR. KANGWA: I'll object here, calls for
20 speculation, it's also an incomplete hypothetical.

21 THE WITNESS: I haven't heard of any incident
22 where an inmate or an individual in custody doesn't
23 have a mattress. The cell house lieutenants and
24 sergeants and all -- lieutenants and sergeants will

Page 24

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1 make sure every individual in custody has a mattress in
2 that particular cell house.

3 BY MR. MYLER:

4 Q. If there was an instance in which an
5 individual didn't have a mattress for let's say three
6 or four days, and he had requested that a mattress be
7 provided through a number of different individuals on
8 the gallery, would you expect that that issue would be
9 escalated to your level at some point so that you would
10 be made aware of it?

11 MR. KANGWA: Same objections, calls for
12 speculation, incomplete hypothetical.

13 THE WITNESS: I would be very surprised that that
14 would happen since we do provide them mattresses during
15 that short period of time. Even if not that shift,
16 next shift or within a 24 hour period, they will --
17 Stateville will provide a mattress to that individual
18 in custody.

19 BY MR. MYLER:

20 Q. Okay. If an individual didn't have a
21 mattress for a number of days, would you expect that
22 the officers under you would inform you about it?

23 MR. KANGWA: Same objections.

24 THE WITNESS: Yes, he would inform the lieutenant.

1 Yes.

2 BY MR. MYLER:

3 Q. And would you expect that the lieutenant
4 would inform you at some point?

5 A. A lieutenant will put a work order -- a
6 lieutenant will put a requisition in. A lieutenant
7 will call around to the reception center or another
8 cell house to get a mattress. If no new mattress
9 through a requisition is available, then he would have
10 to go like, just like I said, to the reception center
11 or another cell house.

12 Q. Okay. Are you responsible at all for
13 overseeing shakedowns that occur by the Orange Crush
14 Team at Stateville?

15 A. No.

16 Q. Are you familiar with the reasons why a
17 mattress may be removed from a cell during one of those
18 shakedowns?

19 A. No.

20 Q. Okay. And then I just want to confirm -- I
21 think you answered this, but I just want to be clear on
22 this point, that you're not familiar with the facts and
23 circumstances surrounding Mr. Crawford's claims that he
24 was without a mattress for 17 days, is that correct?

7 (Pages 22 to 25)

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1 A. No, I'm not familiar with those -- what he's
2 claiming about a mattress, no.

3 Q. Okay. So you wouldn't know why his mattress
4 wasn't replaced or why they were unable to get him a
5 replacement mattress?

6 A. No.

7 MR. MYLER: Okay. If we could just take a ten
8 minute break. I don't know -- John, just to confirm,
9 will Major Lake be the only witness testifying today?

10 MR. KANGWA: For today, yes.

11 MR. MYLER: Let's take a ten minute break. I'll
12 see how many questions I have. We may be done here,
13 but that will speed things along while we're live on
14 the record here.

15 So let's come back if we could at 10:08.

16 MR. KANGWA: Okay.

17 (Short break.)

18 BY MR. MYLER:

19 Q. I just have a few more questions here today
20 and then we'll be able to wrap this up. This first is,
21 I want to know or I'd like to know what your position
22 was in 2016?

23 A. I was the correctional -- I was a major, yes.

24 Q. So you were a major. So you had the same

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1 responsibilities with respect to this process of
2 addressing conditions of confinement in 2016 as you do
3 today?

4 A. Yes.

5 Q. Okay. Earlier you mentioned that if an
6 individual didn't have a mattress, that they would be
7 able to get a replacement mattress, not necessarily a
8 new mattress, but a replacement mattress from another
9 part of the facility, is that correct?

10 A. Yes, we will -- they will find -- we will
11 find a mattress.

12 Q. Okay. It sounds like it's your understanding
13 that there are a number of replacement mattresses
14 available, that there is not a shortage per se of
15 mattresses?

16 A. There is no shortage, that I'm aware of, of
17 mattresses in any of the cell houses. If a cell house
18 doesn't have a mattress, we would locate a mattress
19 somewhere within the institution or in a reception
20 center. So at Stateville we will have a replacement
21 mattress.

22 Q. Okay. If an inmate is offered one of those
23 replacement mattresses, and the inmate feels that there
24 is some sort of issue with it, it's soiled, it's not

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1 suitable for use, could the inmate raise those issues
2 and ask that a different replacement mattress be
3 brought?

4 MR. KANGWA: I object, it calls for speculation,
5 incomplete hypothetical.

6 THE WITNESS: Okay. The mattresses, such as from
7 the reception center or another cell house, especially
8 a reception center -- we have a large turnover of
9 mattresses. Now, each mattress is cleaned, the outer
10 layer is cleaned by the individual custody workers.
11 They will wipe those mattress down and stack them.
12 That's at the reception center. If no mattresses is in
13 the cell house, it's not necessary because we can't
14 wipe anything down. But all those mattresses that we
15 get from the reception center or from another cell
16 house are wiped down and given to the individuals in
17 custody.

18 BY MR. MYLER:

19 Q. Okay. If the inmate feels that the mattress
20 isn't clean, it's not like he was asking for a new
21 mattress, he would just like a different replacement,
22 could you make that request if he feels that the
23 mattress he was offered isn't clean, you know, because
24 it has mace on it or it's soiled or has some issue?

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1 A. If the mattress -- go ahead.

2 Q. Or is he expected to sleep on the mattress
3 that he believes is soiled or has mace on it?

4 MR. KANGWA: I'll object, calls for speculation
5 and incomplete hypothetical.

6 THE WITNESS: We would not give an individual in
7 custody a soiled mattress, a mattress that has been
8 sprayed with mace or any other -- if it's torn or
9 destroyed, we don't give an individual in custody a
10 destroyed mattress, a mattress that we're going to end
11 up taking back anyway. The mattress has to be in good
12 condition --

13 BY MR. MYLER:

14 Q. Okay.

15 A. -- before we give them to the individual in
16 custody.

17 Q. Okay. And you mentioned earlier that if for
18 some reason there is no mattress available in the cell
19 house or in another part of the prison, that a
20 requisition form would be completed, is that correct?

21 A. The requisition forms is when we're ordering
22 new mattresses from the warehouse to give to replace
23 the mattresses in some of the cell houses when it's
24 available. And that's very seldom. That comes from

8 (Pages 26 to 29)

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1 the business office. We can put requisitions in for
2 new mattresses, maybe we get them, maybe there is a
3 shortage of them. And for like one particular cell
4 house -- say for instance we got 200 -- say 250 beds,
5 and they only give us ten mattresses, it's -- that, you
6 know, count doesn't check. So we just give the new
7 mattresses or use it as a replacement of mattresses
8 such as if medical would put a permit in for a double
9 mattress or if we -- if a gallery officer sees that the
10 mattress is torn, which we don't -- which if it's torn
11 we have to replace the mattress. So we will give him
12 one of those mattresses. There is a very limited
13 supply of new mattresses that we get. Everything is
14 used. I mean, not everything, but we use every
15 mattress as possible.

16 MR. MYLER: Okay. Understood. Major Lake, thank
17 you for your time today. I don't have any further
18 questions.

19 MR. LOMBARDO: John, I have a couple. Do you want
20 me to ask them or you can go or can I go first?

21 MR. KANGWA: Sure, that works well. Go ahead.

22 MR. LOMBARDO: Okay. Thank you.
23
24

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1 have. Thank you.

2 MR. MYLER: I have some follow-up. I don't know
3 if you want to go ahead, John.

4 MR. KANGWA: Go ahead, Sam.

5 FURTHER EXAMINATION

6 BY MR. MYLER:

7 Q. Okay. Major Lake, if medical staff were
8 aware of the fact that an individual with chronic
9 medical conditions, back problems, etc. did not have a
10 mattress, could they raise those issues with a
11 correctional officer in an effort to help get the
12 inmate a mattress?

13 MR. LOMBARDO: Objection, form, foundation.

14 You can answer.

15 MR. KANGWA: You can answer the question.

16 THE WITNESS: If the individual in custody
17 complains about an issue or medical condition that he
18 needs a new mattress, a double mattress, actually
19 that's why I'm saying a double mattress, an extra
20 mattress, then they could provide a permit for him to
21 have two mattresses.

22 BY MR. MYLER:

23 Q. Okay. So I'm assuming that since they
24 provide a permit to have two mattresses, they could

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1 EXAMINATION

2 BY MR. LOMBARDO:

3 Q. Major Lake, I represent a couple of doctors
4 and a nurse that work at Stateville. Does medical
5 staff have the ability to replace an inmate's mattress?

6 A. No. I mean -- not replace it. I mean, no.

7 Q. Does medical staff have the ability to fix an
8 inmate's mattress if they're complaining about it?

9 MR. MYLER: Objection, vague.

10 THE WITNESS: I don't understand "fix." I mean,
11 if the mattress is torn or the stuffing is coming out,
12 like I said before, we would locate another mattress
13 through the reception center or another cell house and
14 replace that particular mattress.

15 BY MR. LOMBARDO:

16 Q. So my question is just -- I'm focusing it on
17 medical personnel. Did they have the -- are they
18 involved in the process of replacing a mattress, so
19 nurses or doctors?

20 A. No.

21 Q. That's a responsibility that falls on IDOC
22 personnel?

23 A. Yes.

24 MR. LOMBARDO: Okay. That's all the questions I

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1 also provide some sort of documentation to get one
2 mattress?

3 A. No. Everybody --

4 MR. LOMBARDO: Objection to form.

5 Go ahead.

6 THE WITNESS: Everybody gets mattresses.

7 MR. MYLER: Go ahead, John. Sorry.

8 MR. KANGWA: I don't have anything for follow-up.

9 FURTHER EXAMINATION

10 BY MR. LOMBARDO:

11 Q. Okay. I just have very briefly. Gallery
12 officers make rounds on all galleries at Stateville
13 proper, correct?

14 A. That's correct.

15 Q. If a nurse was notified by an inmate that
16 they didn't have a mattress, all that nurse could do
17 was notify an officer or other correctional personnel
18 working for the IDOC?

19 A. She'll make notification to the gallery
20 officer, the sergeant or the lieutenant, yes.

21 Q. And gallery officers are having contact with
22 individuals in custody in their cell more frequently
23 than any medical staff, is that accurate? Let me
24 ask -- I'm sorry, I'll withdraw that last question.

9 (Pages 30 to 33)

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1 That's okay.

2 Are gallery officers making rounds on each
3 gallery more frequently than nurses?

4 A. Yes.

5 MR. LOMBARDO: That's all the questions I have.

6 FURTHER EXAMINATION

7 BY MR. MYLER:

8 Q. One last follow-up. Do nurses make rounds on
9 the galleries as well?

10 A. I can't hear.

11 Q. Do nurses make rounds on the gallery as well,
12 either in connection with routine visits to prisoners
13 or passing medication or anything like that?

14 A. Nurses, they conduct -- they pass medication.
15 They do sick call, hall passes, they issue medication
16 such as blood pressure medication or for chronic
17 illness, those type of medical conditions. When
18 someone is probably not able to come out, they do
19 gallery rounds.

20 Q. And just to clarify, in connection with those
21 services, do they see prisoners at their cells?

22 A. Yes.

23 MR. MYLER: Okay. No further questions for
24 plaintiff.

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1 MR. LOMBARDO: Nothing further. Thank you.

2 MR. KANGWA: Nothing on my end.

3 MR. MYLER: Okay. Thank you. We'll take an
4 electronic.

5 Major Lake, we appreciate you taking the time
6 here today. I think you're have done. So thanks for
7 taking the time.

8 THE WITNESS: Thank you.

9 THE COURT REPORTER: What about signature?

10 MR. KANGWA: We'll waive.

11 THE COURT REPORTER: So Mr. Myler, you said you're
12 ordering the transcript?

13 MR. MYLER: Yes, we'll take an electronic version.

14 THE COURT REPORTER: Mr. Kangwa, do you need a
15 copy?

16 MR. KANGWA: Yes, can I have a PDF copy, please.

17 THE COURT REPORTER: Mr. Lombardo, do you need a
18 copy?

19 MR. KANGWA: Yes, electronic only.

20 AND FURTHER DEPONENT SAYETH NAUGHT.
21
22
23
24

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1 STATE OF ILLINOIS)

) SS:

2 COUNTY OF L A K E)

3 I, DEBORAH T. BRAUER, a notary public
4 within and for the County of Lake and State of
5 Illinois, do hereby certify that heretofore, to-wit, on
6 the 14th day of October, 2021, personally appeared
7 before me Maurice Blake, a witness in a certain cause
8 now pending and undetermined in the United States
9 District Court of the Northern District of Illinois,
10 wherein DeAndre Crawford is the plaintiff and Charles
11 Best, et al. are the defendants.

12 I further certify that the witness was by
13 me first duly sworn to testify the truth, the whole
14 truth and nothing but the truth in the cause aforesaid;
15 that the testimony then given by the said witness was
16 reported stenographically by me in the presence of said
17 witness and afterwards reduced to writing, and the
18 foregoing is a true and complete transcript of the
19 testimony so given by the said witness as aforesaid.

20 The signature of the witness to the
21 foregoing deposition was waived by agreement of counsel
22 for the respective parties.
23
24

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1 I further certify that the taking of this
2 deposition was pursuant to notice, and that there were
3 present at the taking of said deposition the
4 appearances as heretofore noted.

5 I further certify that I am not counsel
6 for nor in any way related to any of the parties to
7 this suit, nor am I in any way interested in the
8 outcome thereof.

9 IN TESTIMONY WHEREOF, I have hereunto set
10 my hand and affixed my notarial seal this 19th day of
11 October, 2021.
12
13
14

15 _____
16 Deborah T. Brauer, CSR
17 Notary Public, Lake County, Illinois
18
19
20
21
22
23
24

10 (Pages 34 to 37)

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